



UNITED STATES OF AMERICA

v.

KENNETH LARAY WHITE (01)

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REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY

KENNETH LARAY WHITE, by consent, under authority of United States v. Dees, 125 F.3d 261 (5th Cir. 1997), has appeared before me pursuant to Fed. R. Crim.P. 11, and has entered pleas of guilty to Counts One and Five of the Superseding Information After cautioning and examining **KENNETH LARAY WHITE** under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty pleas were knowledgeable and voluntary and that the offenses charged are supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the pleas of guilty be accepted, and that **KENNETH LARAY WHITE** be adjudged guilty of 18 U.S.C. § 1952(a)(2) and (B) Use of a Facility of Interstate Commerce in Aid of Racketeering Enterprise and 18:922(g)(1) and 924(a)(2) Felon in Possession of a Firearm and have sentence imposed accordingly. After being found guilty of the offenses by the district judge,

The defendant is currently in custody and should be ordered to remain in custody.

The defendant must be ordered detained pursuant to 18 U.S.C. § 3143(a)(1) unless the Court finds by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community if released.

The Government does not oppose release.

The defendant has been compliant with the current conditions of release.

I find by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community if released and should therefore be released under § 3142(b) or (c).

The Government opposes release.

The defendant has not been compliant with the conditions of release.

If the Court accepts this recommendation, this matter should be set for hearing upon motion of the Government.

The defendant must be ordered detained pursuant to 18 U.S.C. § 3143(a)(2) unless (1)(a) the Court finds there is a substantial likelihood that a motion for acquittal or new trial will be granted, or (b) the Government has recommended that no sentence of imprisonment be imposed, or (c) exceptional circumstances are clearly shown under § 3145(c) why the defendant should not be detained, and (2) the Court finds by clear and convincing evidence that the defendant is not likely to flee or pose a danger to any other person or the community if released.

Date: March 17, 2015

UNITED STATES MAGISTRATE JUDGE

NOTICE

Failure to file written objections to this Report and Recommendation within fourteen (14) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. §636(b)(1)(B).